

**Office of the
State Board
of Education**

**Limited
English
Proficient (LEP)
Program**

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Limited English Proficient (LEP) Program

\$5,290,000

Background

The 1995 Legislature created the limited English proficiency appropriation with the intent to support the programs for students with non-English or limited English proficiency. This action followed a lawsuit brought against the Idaho State Board of Education by the Idaho Migrant Council. The 1983 Consent Decree *Civil No 79-1068* sought equitable and appropriate education for limited English proficient (LEP) students. HB787 followed in 2004 to ensure that statewide achievement objectives were developed and district LEP plans were implemented. Federal funding, under the No Child Left Behind Act of 2001 — Title III, supplements the state LEP appropriation. Due to these state and federal directions, specific criteria guide the LEP district programs across the state. District plans are updated yearly and annual assessment guides student placement and determines student growth. Statewide goals for LEP students have been established; however they will be realigned to the new language proficiency assessment once it is in place (described below under *Language Proficiency Assessment*).

The Office of the State Board of Education's LEP program oversees the district funding, programming, monitoring and evaluation, as well as the federal Title III program, which includes the management of the statewide English language proficiency assessment system.

Overview of the Statewide LEP Program

LEP Sub-Committee

In January 2004, the State Board of Education created an LEP sub-committee to examine systems, procedures, methodologies, and best practices for LEP programs and to make recommendations to the Board for establishing program standards and language assessment policy requirements. In June 2005, the sub-committee presented the Final Report and Recommendations document to the Board for approval. The Board approved the document as a platform for presenting recommendations to districts and institutions of higher education, as well as to look further at recommendations that might be developed into policy. The Final Report and Recommendations document can be found at: <http://www.idahoboardofed.org/lep/index.asp>. With the report, the sub-committee concluded its work, however members and LEP practitioners will be asked to participate in Board working groups to develop and refine specific policy and programmatic activities. Due to the timeframe when the recommendations were released, only one policy recommendation will be presented at the 2006 legislative session, in the form of a rule change.

Language Proficiency Assessment

As required by Federal regulations, all states must have a single statewide language proficiency assessment in place by spring 2006. Idaho began working in March, 2003, to develop a language proficiency assessment with a consortium of states called the Mountain West Assessment Consortium (MWAC), comprised of Oregon,

Idaho, New Mexico, Michigan, Colorado, North Dakota, Alaska, Montana, Nevada, Utah, Wyoming and a testing company, Measured Progress. Each of these consortium states has proprietary ownership of the test items that were developed. Because funding for the consortium from The U.S. Department of Education did not continue, the Office of the State Board of Education released a Request for Proposal (RFP) in April 2005 and in June 2005 selected a vendor to develop and administer the language proficiency assessment program. The three-year contract (with two optional additional years) was awarded to Touchstone Applied Sciences Associates (TASA), Inc., which has experience in administering language proficiency assessments. TASA will take the MWAC consortium test items to implement the statewide assessment. After each test administration, TASA, Inc. will develop new items to refresh the assessment for annual administration every spring. TASA, Inc. will also provide scoring and reporting for the districts, conduct a study to evaluate alignment with Idaho's standards and develop an LEP student information database. With this assessment in place, Idaho will be able to comprehensively track students and monitor language proficiency growth for the LEP subgroup.

Funding for the Language Proficiency Assessment

With the magnitude and complexity of federal regulations driving LEP student assessment, Idaho must contract with a vendor to supply the services needed. Federal funding is being used for the statewide assessment for Years 1 and 2, however a funding source determination for out years must be made, as Title VI – Assessment funds will no longer be available. It is estimated that about \$600,000 will be needed in FY2008 (Year 3 of the assessment contract), and annually thereafter, to run the comprehensive assessment program.

Until spring 2006, districts will continue to use one of four recommended language proficiency tests (Woodcock-Munoz, IDEA Proficiency Tests, Language Acquisition Scales, Maculaitis II) to assess their students. Districts currently pay the vendors directly for the annual assessment with their district LEP allocations.

English Language Proficiency Standards

After an external review of the ISAT assessment, the State Department of Education conducted a revision of the content standards. The language arts standards were completed in October 2005. Under Title III of No Child Left Behind (NCLB), every state is required to link the content standards in language arts, math and science to English language proficiency (ELP) standards. In early 2006, the Office of the State Board will realign the ELP standards with the revised content standards. The Board originally approved the ELP standards in June 2004. Once the ELP standards are revised, implementation of the standards will be ongoing within the districts. The Board's LEP Program will work with the Northwest Regional Educational Laboratory (NWREL) to assist in the development of the alignment, the standards implementation guides and specific trainings for administrators and teachers.

Ongoing Efforts

- The 05-06 State LEP allocations to local districts were made in a timely manner.
- 05-06 LEP District Plans have been received, reviewed and approved.

- OSBE will continue to provide grants to universities to fund scholarships for paraprofessionals in Bilingual/ESL education through the “Grow Your Own” program.
- OSBE is providing ongoing monitoring and evaluation, technical assistance and professional development opportunities to districts.
- OSBE has begun dialogue with institutions of higher education to discuss means of adequately equipping pre-service teachers to address the needs of LEP students.
- OSBE has worked with the State Department of Education to revise the Bilingual/ESL certificated teacher standards. Additions were made to the standards, in order to meet the requirements of NCLB.
- OSBE and the State Department of Education are collaborating to ensure school improvement plans are adequately addressing the needs of LEP student needs.

Overview of District LEP Programs

LEP Legislative Budget

The \$4.85 million FY 2005 LEP allocation was distributed directly to school districts on a per student basis for the 2004-2005 school year. The \$5.06 million FY 2006 LEP allocation was distributed directly to districts in November 2005. The Legislative LEP funding is a part of the public schools appropriation and is distributed through the State Department of Education. In May 2005, a total of 20,934 students were identified, averaging \$241.71 per student for the FY06 appropriation. In order to receive funding, each district must have an LEP Plan and budget on file and approved with the Office of the State Board of Education — LEP Program.

Each district allocates the appropriate amount to the various schools or programs within the district. No state money is used for overall administration of the program. Statewide administration of the LEP program is funded by the federal Title III funds. Below is an overview of the State LEP funding in the last decade.

STATE LEP FUNDING			
Fiscal Year	Total Allocation	# of LEP Students	Per Pupil Amount
1997	\$1,500,000	11,267	\$133.00
1998	\$2,250,000	13,188	\$170.61
1999	\$3,000,000	13,251	\$226.40
2000	\$3,750,000	16,338	\$229.53
2001	\$4,000,000	17,733	\$225.57
2002	\$4,475,000	18,168	\$246.31
2003	\$4,500,000	18,746	\$238.70
2004	\$4,500,000	19,649	\$227.75
2005	\$4,850,000	20,816	\$232.99
2006	\$5,060,000	20,934	\$241.71

Data gathered during 2004-2005 is consistent with previous years in terms of how the district money was used. Budget submissions indicated that districts used their state LEP allocation for salaries, professional development, purchased services such as

translation services, and educational materials. Over 90 percent of the allocation continues to be used for salaries. LEP students are also funded from other sources, which include general funding and federal funds. Title I, and Title I C Migrant, Title III LEP and Title III Emergency Immigrant funds, which are all programs under NCLB, can be used to serve LEP students.

Idaho LEP Student Demographics

The majority of LEP students in Idaho are of Hispanic or Latino origin and speak Spanish as their home language. In 2004-05, 22.4 percent of the LEP students enrolled in services were classified as ‘migrant students’ (students who move with their parents either between states or districts in search of agricultural work). This is a decrease from 30.9 percent identified as LEP and Migrant in 2004-05.

It is essential to note that there are students from over 85 countries in the schools throughout the state. This number is due to overall immigration, the international business presence in the area and the increased refugee resettlement effort. The number of refugee students and their families being placed in Idaho is continuing to grow. Nationally, several cities in Idaho are considered refugee resettlement areas. This trend will continue to significantly impact our school districts.

Languages and Ethnicities of LEP Students in Idaho

In October 2005, there were over 99 different languages reported to be spoken in Idaho school districts, inclusive of the various Native American languages. Spanish is the most frequently used, followed by Native American languages and Bosnian. Foreign-exchange students are not included in this count, nor are they generally considered for LEP program services. The charts below compare the percentages of ethnicities represented and languages spoken in 2004-05, as compared to 2003-04.

LEP Ethnicities with Significant Populations		
Ethnicity	2003-2004	2004-2005
Hispanic or Latino	83.19%	87.05%
White	7.56%	4.58%
American Indian/Alaskan Native	4.71%	2.90%
Asian	2.58%	2.99%
Native Hawaiian/Other Pacific Islander	0.65%	0.59%
Black/African American	0.53%	0.88%
Other/Unknown	0.77%	1.00%

LEP Languages with Significant Populations		
Language	2003-2004	2004-2005
Spanish	90.25%	90.01%
Native American	2.81%	2.87%
Bosnian	0.91%	1.42%
Russian	1.03%	1.09%
Chinese	1.41%	0.92%
Serbo-Croatian	1.99%	0.10%
Other	1.60%	3.59%

Monitoring and Evaluation

The State Board of Education has implemented a variety of methods to verify that districts are making every effort to develop and implement programs that will ensure access to an equitable education for all LEP students and meet both federal and state requirements. The State Board of Education is working with the Department of Education to streamline the district monitoring and evaluation process. This will make the overall monitoring and evaluation system more comprehensive and district friendly.

All districts with LEP students are required to provide the following:

- State Assessment System: Language Proficiency Testing, ISAT, IRI, DWA, DMA
- On-Site Monitoring and Evaluation Visits
- LEP End-of-Year Report
- LEP and Emergency Immigrant Student Count
- Educational Learning Plans (ELP) for Limited English Proficient Students if the students receive accommodations in the classroom
- LEP programming included in the Consolidated Plan and Title I services
- Consolidated Plan Program Reviews.

Models of Language Acquisition Instruction for K-12 Students

Each district has the flexibility to choose what research-based method of instruction and program model they will use to serve the LEP students. Because of the requirements under No Child Left Behind (NCLB) for Adequate Yearly Progress (AYP), the schools are under pressure to teach the students content-based English as quickly as possible. The school districts in Idaho have continued to focus on pull-out ESL, content-based ESL, Sheltered Instruction, and Bilingual Education. Each district implements the instructional program in a manner appropriate for their student demographics.

The table below represents the percentages of students served with the various language acquisition programs in 2004-05, as compared to 2003-2004. The 3 main models of language instruction implemented in Idaho are described below.

Language Instruction for all districts	2003-2004	2004-2005
Dual language program	0.48%	2.38%
Two-way immersion	2.27%	0.62%
Transitional bilingual	0.22%	0.65%
Developmental bilingual	3.27%	3.33%
Heritage Language preservation	0.02%	0.00%
Sheltered English instruction	29.09%	29.81%
Structured English immersion	5.27%	9.28%

Specially designed academic instruction delivered in English (SDAIE)	2.08%	2.12%
Content-based ESL	20.55%	19.66%
Pull-out ESL	25.93%	20.32%
Other language instruction educational program	10.81%	11.83%

Pull-out English as a Second Language (ESL): Many of the districts continue to use a pull-out ESL model. This model is reflective of the traditional definition in which LEP students are pulled out of regular, mainstream classrooms for special instruction in English as a second (or third, etc.) language. Most instruction is provided for 30 minutes to two hours each day. For new arrivals, the pull out model may be more intensive and ranges from two to three hours each day. Some districts provide ESL pull-out daily. However, as the LEP student progresses in language proficiency, the instructional time may be decreased to two to three times per week. The focus of the pull-out ESL in Idaho school districts is to give the LEP students an English language framework, inclusive of vocabulary, grammar, reading, writing and life/cultural skills, which will assist them in their regular classroom.

Content-based ESL: Several districts are using a content-based ESL approach in order to better meet the requirements of No Child Left Behind. This approach to teaching English as a Second Language makes use of instructional materials, learning tasks, and classroom techniques from academic content areas as the vehicle for developing language, content, cognitive and study skills. Cognitive academic language development in English occurs through content-area instruction.

Sheltered English instruction: Districts across Idaho have begun to adopt the Sheltered Instruction Observation Protocol (SIOP) methodology that has been scientifically researched and proven to be very effective. This instructional approach is used to make academic instruction in English understandable to English language learners to help them acquire proficiency in English while learning within the content area. Many districts have been trained in the SIOP methodology and are using simplified language, physical activities, visual aids, and the environment to teach vocabulary for concept development within all subjects. This program addresses both social and academic English essential for the current operating environment under NCLB.

The SIOP methodology is used effectively for students that may be at the intermediate or advanced level in their English language ability. Some beginning level students may still need additional specialized instruction to help them succeed.

Bilingual Education: Several districts in Idaho continue to use a bilingual approach for language instruction, which builds upon the students' primary language skills while developing and expanding upon the English language skills of each student. However, Bilingual Education is a highly intensive program and requires fidelity to the program to be effective. Additional credit hours above the ESL certification are also required and several institutions of higher education in Idaho offer this endorsement. In addition, most districts in Idaho can not financially attract bilingual certified teachers, or they have too many languages represented in the schools to provide a bilingual program.

Many districts and researchers have indicated that the differences in program success depend more on individual teacher and paraprofessional performance, rather than specific programming. This underscores the importance of professional development training regarding English language learning programs. All staff within a school that serves LEP students should have training in how to address the needs of this special population.

Staffing for LEP Programs

Bilingual/ESL education in Idaho is considered a content area for certification. However, not all Bilingual/ESL certified teachers in the state serve LEP students. Some Bilingual/ESL certified teachers are not teaching in a specific Bilingual/ESL classroom, as they have been assigned specific content classes. In addition, as LEP students have increasing accountability to demonstrate proficiency in content areas, more LEP students are being served by certified content teachers. Some of these content teachers have gone through training in serving LEP students, some have not. For these reasons, it is difficult to determine exactly how many Bilingual/ESL certified teachers are serving LEP students in Idaho. In 2004-05, 974 certified (in any area) teachers were reported as serving LEP students in some capacity, whether in the regular classroom, or in specific Bilingual/ESL instruction.

Due to funding limitations and location, many LEAs struggle to hire teachers that have their ESL certification. Most districts are rural and are not able to pay their teachers at the same level as the larger districts. Therefore, it is difficult to attract Bilingual/ESL certified teachers to many districts. The result is that many LEAs are only able to hire paraprofessionals to provide the LEP students with the services they need. In 2004-05, districts reported that 747 paraprofessionals worked with the LEP student population, as compared to 641 paraprofessionals in 2003-04.

LEP Student Achievement

Within the past year, Idaho has continued to see significant improvements in the LEP programming in the state. With the accountability structure of NCLB, more and more districts are realizing that specialized services and district training are essential in helping LEP students meet the content standards. Many districts have coordinated directly with the State Board LEP program in order to receive assistance and in addition, have taken advantage of federal Title I school improvement resources in order to improve their services specifically for LEP students. The state is encouraged about the progress districts are making to acknowledge the importance of services for LEP students.

Adequate Yearly Progress (AYP) on the Idaho Standards Achievement Test (ISAT)

The LEP subgroup on the ISAT is one group that continues to struggle with meeting AYP. First year LEP students, because of federal flexibility, are not assessed on the ISAT Reading or Language Usage. However, the ISAT Math still must be given. Mobile students are also not included in proficiency calculations in the ISAT. AYP is calculated based on (1) valid test scores, (2) statistical reliability according to federal law, and (3) provisions of safe harbor.

The 2005 data below reflects the overall state calculations from students tested in grades 3, 4, 5, 6, 7, 8, and 10, as compared to 2004. Although significant improvements have been seen within the LEP program and LEP student growth is apparent from 2004 to 2005, the LEP subgroup still did not meet the 2005 AYP targets.

ISAT Results for LEP Students			
	2004 AYP	2005 AYP	2005 Target
Reading	51.16%	53.88%	72%
Math	50.29%	53.19%	60%
Language Usage	57.25%	53.83%	72% or maintain 2004 level

It is worthy to note that only two out of the 73 districts that did not meet AYP, did not meet AYP due to the LEP subgroup only. The rest of the districts that missed AYP, missed in multiple subgroups.

2007 REQUEST

The 2007 request is \$5,290,000, an increase of \$230,000 from fiscal year 2006. The \$5,290,000 will be directly allocated to school districts on a per student basis. The funding request was established from the projected increase in the number of LEP students, based on the average growth since FY 1995. FY 2007 LEP legislative funding request will maintain the per student amount of approximately \$230-\$240 per student.

APPENDIX A

FY2006 State LEP - Funding Allocations - Per District

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FY2006 State LEP - Funding Allocations - Per District

SFY06 state funds

\$5,060,000.00

SCHOOL DISTRICT	NO.	05 LEP Count	ALLOCATION
BOISE	1	1837	\$444,025.03
MERIDIAN	2	1292	\$312,291.97
KUNA	3	86	\$20,787.24
MEADOWS VALLEY	11	0	\$0.00
POCATELLO	25	101	\$24,412.92
BEAR LAKE	33	2	\$483.42
SNAKE RIVER	52	309	\$74,689.02
BLACKFOOT	55	1240	\$299,722.94
ABERDEEN	58	278	\$67,195.95
FIRTH	59	28	\$6,767.94
SHELLEY	60	173	\$41,816.18
BLAINE CO.	61	489	\$118,197.19
HORSESHOE BEND	73	1	\$241.71
LAKE PEND ORIELLE	84	4	\$966.85
IDAHO FALLS	91	836	\$202,071.27
BONNEVILLE	93	320	\$77,347.86
BOUNDARY CO.	101	114	\$27,555.17
BUTTE	111	6	\$1,450.27
NAMPA	131	1953	\$472,063.63
CALDWELL	132	1697	\$410,185.34
WILDER	133	172	\$41,574.47
MIDDLETON	134	106	\$25,621.48
NOTUS	135	103	\$24,896.34
MELBA	136	105	\$25,379.76
PARMA	137	308	\$74,447.31
VALLIVUE	139	634	\$153,245.44
GRACE	148	23	\$5,559.38
SODA SPRINGS	150	6	\$1,450.27
CASSIA CO.	151	752	\$181,767.46
CLARK CO.	161	71	\$17,161.56
OROFINO	171	1	\$241.71
CHALLIS	181	7	\$1,691.98
MACKAY	182	3	\$725.14
GLENNS FERRY	192	160	\$38,673.93
MOUNTAIN HOME	193	452	\$109,253.85
PRESTON	201	130	\$31,422.57
WEST SIDE	202	6	\$1,450.27
FREMONT CO.	215	342	\$82,665.52
EMMETT	221	179	\$43,266.46
GOODING	231	163	\$39,399.06
WENDELL	232	371	\$89,675.17
HAGERMAN	233	57	\$13,777.59
BLISS	234	43	\$10,393.62
JEFFERSON CO.	251	322	\$77,831.28

SCHOOL DISTRICT		NO.	05 LEP Count	ALLOCATION	SCHOOL DISTRICT
WEST JEFFERSON	253	99			\$23,929.49
JEROME	261	700			\$169,198.43
VALLEY	262	219			\$52,934.94
COEUR D'ALENE	271	39			\$9,426.77
LAKELAND	272	2			\$483.42
MOSCOW	281	32			\$7,734.79
GENESSEE	282	2			\$483.42
SHOSHONE	312	100			\$24,171.20
DIETRICH	314	13			\$3,142.26
RICHFIELD	316	18			\$4,350.82
MADISON	321	224			\$54,143.50
SUGAR-SALEM	322	16			\$3,867.39
MINIDOKA CO.	331	699			\$168,956.72
LEWISTON	340	17			\$4,109.10
LAPWAI	341	206			\$49,792.68
ONEIDA	351	19			\$4,592.53
MARSING	363	174			\$42,057.90
BRUNEAU GR-VIEW	365	93			\$22,479.22
HOMEDALE	370	264			\$63,811.98
PAYETTE	371	235			\$56,802.33
NEW PLYMOUTH	372	108			\$26,104.90
FRUITLAND	373	168			\$40,607.62
AMERICAN FALLS	381	540			\$130,524.51
TETON CO.	401	206			\$49,792.68
TWIN FALLS	411	477			\$115,296.65
BUHL	412	306			\$73,963.89
FILER	413	59			\$14,261.01
KIMBERLY	414	89			\$21,512.37
HANSEN	415	57			\$13,777.59
CASTLEFORD	417	48			\$11,602.18
MURTAUGH	418	73			\$17,644.98
McCALL DONNELLY	421	22			\$5,317.67
WEISER	431	326			\$78,798.13
MIDVALE	433	2			\$483.42
IDVA	781				\$0.00
TOTALS		20934			\$5,060,000.00
		per pupil			\$241.71